

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

CW 13-1422 consolidated with CA 13-1370

HAZEL RICHARD SAVOIE, ET AL.

VERSUS

ALICE T. RICHARD, ET AL.

**ON SUPERVISORY WRITS
THIRTY-EIGHTH JUDICIAL DISTRICT COURT
PARISH OF CAMERON, NO. 10-18078
HONORABLE PENELOPE QUINN RICHARD, DISTRICT JUDGE**

**BILLY HOWARD EZELL
JUDGE**

Court composed of Jimmie C. Peters, Billy Howard Ezell, and Phyllis M. Keaty,
Judges.

WRIT DENIED.

**Donald T. Carmouche
Victor L. Marcello
Diane Adele Owen
John Hogarth Carmouche
William R. Coenen, III
Brian T. Carmouche
Ross J. Donnes
Todd J. Wimberley
Talbot, Carmouche, & Marcello
17405 Perkins Road
Baton Rouge, LA 70810
(225) 400-9991**

COUNSEL FOR PLAINTIFFS/APPLICANTS:

**Hazel Richard Savoie
Kevin Troy Savoie
Richard Michael Savoie**

**Thomas E. Balhoff
Judith R.E. Atkinson
Roedel Parsons Koch Blache Bulhoff & McCollister
8440 Jefferson Hwy., Ste. 301
Baton Rouge, LA 70809-7652
(225) 929-7033**

COUNSEL FOR DEFENDANT/RESPONDENT:

State of Louisiana, Department of Natural Resources

**Patrick Wise Gray
Thomas Martin McNamara
Amy Allums Lee
Johnson Gray McNamara, LLC
P. O. Box 51165
Lafayette, LA 70505
(337) 412-6003**

COUNSEL FOR DEFENDANTS/RESPONDENTS:

**Shell Oil Company
SWEPI LP**

**Joe Barrelle Norman
Kelly B. Becker
Liskow & Lewis
701 Poydras St., Ste. 5000
New Orleans, LA 70139-5099
(504) 581-7979**

COUNSEL FOR DEFENDANTS/ RESPONDENTS:

**Shell Oil Company
SWEPI LP**

**William T. McCall
Guillory & McCall
901 Lake Shore Drive, Ste. 1030
Lake Charles, LA 70601
(337) 433-9996**

**COUNSEL FOR DEFENDANTS/RESPONDENT:
SWEPI LP
Shell Oil Company**

**Michael Keith Prudhomme
David Paul Bruchhaus
Chad Ellis Mudd
Mudd & Bruchhaus, LLC
410 E. College Street
Lake Charles, LA 70605
(337) 562-2327**

**COUNSEL FOR PLAINTIFFS/APPLICANTS:
Richard Michael Savoie
Hazel Richard Savoie
Kevin Troy Savoie**

**Michael J. Mazzone
Elizabeth E. Klingensmith
Haynes and Boone, LLP
1221 McKinney St., Ste. 2100
Houston, TX 77010-2007
(713) 547-2115**

**COUNSEL FOR DEFENDANTS/RESPONDENTS:
Shell Oil Company
SWEPI LP**

EZELL, Judge.

Hazel, Kevin, and Richard Savoie (the Savoies) filed the current writ challenging the action of the trial court in supplementing the trial record at the request of Shell Oil Company and SWEPI LP (hereinafter collectively referred to as “Shell”) to include evidence of a settlement of remediation claims between the Savoies and another defendant, Pioneer Exploration, LLC, who is currently conducting mineral operations on a portion of the plaintiffs’ property.

The Savoies and Pioneer entered into a settlement agreement in August 2013, after final judgment was rendered in the original oilfield legacy lawsuit in May 2013. A redacted copy of the settlement agreement between the Savoies and Pioneer was introduced into evidence at a hearing on a motion for new trial filed by Shell, along with correspondence to and from the Louisiana Department of Natural Resources. When the trial court ruled to deny the motion for new trial, Shell and SWEPI orally requested that the trial court order the record being prepared for appeal be supplemented with the transcript of and the evidence introduced at that hearing. The trial court ultimately granted the motion to supplement the appellate record. The plaintiffs have filed the instant writ application challenging the trial court’s ruling supplementing the record.

As the reasons expressed in the consolidated case of *Hazel Richard Savoie, et al. v. Alice T. Richard, et al.*, 13-1370 (La.App. 3 Cir. __/__/14), ___ So.3d ___, render this writ moot, we deny the writ application of the plaintiffs-relators, Hazel Savoie, et al.

All costs for this writ are assessed to the plaintiffs.

WRIT DENIED.